

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALBERT K. KWAN

v.

Civil Action No.

SCENA WEBB
DIRECTOR, INDUSTRY OPERATIONS
BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES
1521 FIRST AVE.
SEATTLE, WA

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COMPLAINT

*Albert K. Kwan v. Bureau
of Alcohol, Tobacco,
Firearms and Explosives*

Case No.

COMPLAINT4.wpd

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Jurisdiction

1. This Court has jurisdiction of this matter pursuant to 18 U.S.C. §923(f)(3).
2. Plaintiff Albert K. Kwan is a U.S. citizen who lives in Bellevue, Washington within the Western District of Washington.
3. Defendant Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter ATF) is a federal agency involved in the regulation of the sale and purchase of firearms.

Facts

4. On June 13, 2017, Albert K. Kwan of Bellevue, Washington (Applicant) filed an Application for Firearms License, ATFE Form 7 dated May 15, 2017, as a Dealer in Firearms other than Destructive Devices pursuant to the Gun Control Act of 1968 (GCA), as amended, 18 U.S.C. Chapter 44, with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).
5. The GCA mandates that ATF issue a Federal firearms license to qualified applicant. 18 U.S.C. §923(c); 27 C.F.R. §478.47(a).
6. On March 14, 2018,, Justin Lomax, Acting Director, Industry Operations, Seattle Field Division issued a Notice to Deny Application for License, ATF Form 4498 to the Applicant.
7. By letter dated March 23, 2018, the Applicant timely submitted a request for a hearing to review that Notice.
8. The hearing was held on September 12, 2018, at the ATF Seattle Field Division office
9. On December 10, 2018, the ATF issued its Final Notice of Denial of Application, Revocation, Suspension and/or Fine of Firearms License ATF Form 5300.13.
10. Plaintiff respectfully requests, pursuant to 18 U.S.C. §923(f)(3), a *de novo* review by this court of the determination referenced in paragraph 9 of this complaint, plus such other relief that the plaintiffs may be entitled to.

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